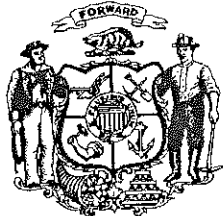


THE STATE OF WISCONSIN

SENATE CHAIR
MARK MILLER

317-E Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-9170



ASSEMBLY CHAIR
MARK POCAN

309-E Capitol
P.O. Box 8953
Madison, WI 53708-8953
Phone: (608) 266-8570

JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Mark Miller
Representative Mark Pocan

Date: July 26, 2010

Re: DOJ Report on Restitution to Victims

Attached is a report from the Department of Justice (DOJ), pursuant to s. 165.25(10), Stats., regarding money received by DOJ under a court order or a settlement agreement for providing restitution to victims. This information covers the period of January 1, 2010 through June 30, 2010.

The Department must semiannually submit a report to the Department of Administration and the Joint Committee on Finance regarding restitution to victims. The report is to specify the amount of restitution received by the Department during the reporting period, the persons to whom the Department paid restitution and the amount the agency paid to each recipient. It must also include the Department's methodology for selecting recipients and determining the amount paid to each.

This information is being provided for your information only. No action by the Committee is required.

Attachments

MM:MP:jm



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

J.B. VAN HOLLEN
ATTORNEY GENERAL

Raymond P. Taffora
Deputy Attorney General

17 West Main Street
P.O. Box 7857
Madison, WI 53707-7857

Bonnie R. Anderson
Budget and Finance Director
608/267-6714
Fax 608/266-1656
andersonbr@doj.state.wi.us

July 23, 2010

RECEIVED
JUL 26 2010

BY: St. Finance

Secretary Daniel Schooff, Department of Administration
Members, Joint Committee on Finance

Dear Secretary Schooff and Members, Joint Committee on Finance:

This report is submitted under sec. 165.25 (10), Wis. Stat., which requires a report regarding money received by the department of justice under a court order or a settlement agreement for providing restitution to victims. The attachment provides detail regarding dates, receipts, interest, payees and amounts, for activity in the second half of FY2010.

During the period of January 1, 2010 through June 30, 2010, two restitution cases received and/or disbursed payments:

<u>Case</u>	<u>Received</u>	<u>Disbursed</u>
1. <i>Asphalt Specialists</i>	\$2,500.00	\$9,000.00
2. <i>Kool View Company</i>	\$3,000.00	\$0.00

The following is a brief description of each settlement agreement for providing restitution to victims.

In the *Asphalt Specialists* case, the defendant violated Wisconsin's home improvement code and engaged in deceptive advertising/business practices. The court ordered payment of \$23,381.14 payable to the DOJ in monthly installments. Of this \$23,381.14, the DOJ has so far received a total of \$10,000.00, collecting \$2,500 between January 1, 2010 and June 30, 2010. Additionally, during this six-month period, the DOJ paid out \$9,000 in restitution payments.

Kool View Company entered into a consent judgment in the amount of \$200,000 for deceptive marketing practices by misrepresenting the deferred rebate program known as the National Energy Rebate Fund. Wisconsin has received an initial payment for \$20,000 from *Kool View*, all of which will be paid as restitution. Another defendant, Matthew Stubbs, stipulated to

Secretary Daniel Schooff, Department of Administration
Members, Joint Committee on Finance
July 23, 2010

a judgment of \$20,000, also for restitution. No restitution payments have been made, given pending collection efforts to satisfy the \$5.5 million default judgment obtained against the National Rebate Fund, Inc. and Timothy Stubbs. There are approximately 300 Wisconsin victims, and for efficiency's sake, the DOJ will wait to make a distribution until more funds are obtained, rather than making successive rounds of restitution payments. Restitution will be paid to all injured consumers, not just complainants. \$3,000.00 was collected during the reporting period.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Anderson', with a long horizontal flourish extending to the right.

Bonnie Anderson
Budget and Finance Director